

Regional Administrator, Southwest Region, NMFS, 501 West Ocean Boulevard, Suite 4200, Long Beach, CA 90802-4213 (562/980-4001); and

Protected Species Program Manager, Pacific Islands Area Office, Southwest Region, NMFS, 1601 Kapiolani Boulevard, Suite 1110, Honolulu, HI (808/973-2937).

SUPPLEMENTARY INFORMATION: The subject amendment to permit No. 848-1335, issued on June 10, 1997 (62 FR 32586) is requested under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act (ESA) of 1973, as amended (16 U.S.C. 1531 *et seq.*), and the Regulations Governing the Taking, Importing, and Exporting of Endangered Fish and Wildlife (50 CFR part 222).

The permit holder is currently authorized to conduct population assessment, disease assessment, recovery actions, and pelagic ecology studies of Hawaiian monk seals (*Monachus schauinslandi*) at all locations within the Hawaiian Archipelago and at Johnston Atoll, through May 31, 2002. The permit holder is now requesting that the permit be amended to authorize the emergency relocation of two weaned Hawaiian monk seal pups in order to protect their health and well-being. The permit has been amended to authorize the relocation of the two animals, pursuant to § 216.33(e)(6) of the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216) which allows waiver of the 30-day public comment period. The remainder of the pending amendment application for this action is being processed according to 50 CFR 216.39.

In compliance with the National Environmental Policy Act of 1969 (42 U.S.C. 4321 *et seq.*), an initial determination has been made that the activity proposed is categorically excluded from the requirement to prepare an environmental assessment or environmental impact statement.

NMFS has forwarded copies of this amendment request to the Marine Mammal Commission and its Committee of Scientific Advisors.

Dated: September 18, 2000.

Ann D. Terbush,

Chief, Permits and Documentation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 00-24454- Filed 9-21-00; 8:45 am]

BILLING CODE 3510-22-S

DEPARTMENT OF COMMERCE

National Oceanic and Atmospheric Administration

[I.D. 083100A]

Marine Mammals; Scientific Research Permit (PHF# 981-1578-00)

AGENCY: National Marine Fisheries Service (NMFS), National Oceanic and Atmospheric Administration (NOAA), Commerce.

ACTION: Issuance of permit.

SUMMARY: Notice is hereby given that Dr. Peter L. Tyack, Ph.D., Woods Hole Oceanographic Institution, Biology Department, 46 Water Street, Woods Hole, MA 02543, has been issued a permit to take several species of cetaceans for scientific research.

ADDRESSES: The permit and related documents are available for review upon written request or by appointment (see **SUPPLEMENTARY INFORMATION**).

FOR FURTHER INFORMATION CONTACT: Jeannie Drevenak, 301/713-2289.

SUPPLEMENTARY INFORMATION: On June 30, 2000, notice was published in the **Federal Register** (65 FR 40613) that a request for a scientific research permit to take several species of cetaceans had been submitted by the above-named individual. The requested permit has been issued under the authority of the Marine Mammal Protection Act of 1972, as amended (16 U.S.C. 1361 *et seq.*), the Regulations Governing the Taking and Importing of Marine Mammals (50 CFR part 216), the Endangered Species Act of 1973, as amended (16 U.S.C. 1531 *et seq.*), and the regulations governing the taking, importing, and exporting of endangered fish and wildlife (50 CFR parts 222—226).

Issuance of this permit, as required by the ESA, was based on a finding that such permit (1) was applied for in good faith, (2) will not operate to the disadvantage of the endangered species which is the subject of this permit, and (3) is consistent with the purposes and policies set forth in section 2 of the ESA.

Addresses: The permit and related documents are available for review upon written request or by appointment in the following offices:

Permits Division, Office of Protected Resources, NMFS, 1315 East-West Highway, Room 13130, Silver Spring, MD 20910 (301/713-2289).

Dated: August 31, 2000.

Eugene Nitta,

Acting Chief, Permits and Documentation Division, Office of Protected Resources, National Marine Fisheries Service.

[FR Doc. 00-24455 Filed 9-21-00; 8:45 am]

BILLING CODE 3510-22-S

CONSUMER PRODUCT SAFETY COMMISSION

[CPSC Docket No. 00-C0015]

Riello Corporation of America, a Corporation, Provisional Acceptance of a Settlement Agreement and Order

AGENCY: Consumer Product Safety Commission.

ACTION: Notice.

SUMMARY: It is the policy of the Commission to publish settlements which it provisionally accepts under the Consumer Product Safety Act in the **Federal Register** in accordance with the terms of 16 CFR 1118.20. Published below is a provisionally-accepted Settlement Agreement with Riello Corporation of America, a corporation, containing a civil penalty of \$125,000. **DATES:** Any interested person may ask the Commission not to accept this agreement or otherwise comment on its contents by filing a written request with the Office of the Secretary by October 10, 2000.

ADDRESSES: Persons wishing to comment on this Settlement Agreement should send written comments to the Comment 00-C0015, Office of the Secretary, Consumer Product Safety Commission, Washington, DC 20207.

FOR FURTHER INFORMATION CONTACT: Jimmie L. Williams, Jr., Trial Attorney, Office of Compliance and Enforcement, Consumer Product Safety Commission, Washington, DC 20207; telephone (301) 504-0626, 1376.

SUPPLEMENTARY INFORMATION: The text of the Agreement and Order appears below.

Dated: September 18, 2000.

Sadye E. Dunn,
Secretary.

Settlement Agreement and Order

1. Riello Corporation of America ("RCA"), a corporation, enters into this Settlement Agreement and Order with the staff ("the staff") of the U.S. Consumer Product Safety Commission ("the Commission") in accordance with 16 CFR part 1118 Section 20 of the Commission's Procedures for Investigations, Inspections, and Inquiries under the Consumer Product Safety Act ("CPSA").

I. The Parties

2. The Commission is an independent federal regulatory agency responsible for the enforcement of the Consumer Product Safety Act, 15 U.S.C. 2051–2084.

3. RCA is a corporation organized and existing under the laws of the State of Massachusetts. Its principal offices are located at 35 Pond Park Road, Hingham, Massachusetts.

II. Staff Allegations

4. Between February 1997 and December 1998, RCA imported, distributed and sold in the United States approximately 842 balanced flue oil burners models BF 40 F5 and BF 40 F3 (“the Burners”) equipped with a component known as the ET–25 post purge module (“ET–25”). The Burners were designed for installation on residential boilers for home heating. RCA is, therefore, a distributor and retailer of a consumer product in U.S. commerce pursuant to 15 U.S.C. 2052 (a)(1), (5) and (6).

5. The Burners were manufactured by Riello Canada, Inc., a corporation organized and existing under the laws of the Province of Ontario, Canada (“Riello Canada”). The ET–25 was manufactured by Enertel Controls, Inc., a corporation organized and existing under the laws of the federal government of Canada.

6. RCA sold the Burners to manufacturers of boilers. The Burners were installed in those boilers either by the boiler manufacturers or by installers.

7. The ET–25 is intended to blow combustion gases out of the Burner chamber after the call for heat to the Burner is exhausted. A defect in the ET–25 causes the Burner to “run on,” which can cause the boiler to overheat. Steam relieved through a pressure relief valve presents a burn hazard to anyone located near the valve. The continuous buildup of pressure within the boiler could cause a fire or explosion.

8. RCA recommended the installation of a secondary high-end limit with the Burner, which would shut down the Burner once a pre-set temperature level in the boiler was reached. In the summer or early fall of 1998, both RCA and Riello Canada obtained reports from their customers that the Burners were failing to shut down after the call for heat had been exhausted, and that some boilers in which the Burners were installed were not equipped with a high end limit. This information reasonably supported the conclusion that the product contained a defect, which could create a substantial product hazard.

9. Riello Canada initiated a corrective action plan beginning December 22,

1998. RCA initiated a similar plan beginning on January 13, 1999.

10. On March 4, 1999, RCA notified the Commission about the Burners. RCA, therefore, failed to report to the Commission in a timely manner as required by Section 15(b) of the CPSA, 15 U.S.C. 2064(b). RCA, in cooperation with the CPSC, voluntarily completed the recall of the Burners soon thereafter.

III. Response of RCA

11. RCA denies all of the allegations of staff and in particular denies that it violated the reporting requirements of section 15(b) of the CPSA, 15 U.S.C. 2064(b) or 16 CFR Part 1115. The payment made hereunder is made in settlement of the staff’s allegations. Neither the payment nor the fact of entering into this Settlement Agreement constitute evidence of or an admission of, any fault, liability or statutory or regulatory violation by RCA, or of the truth of any of the allegations made by the staff.

IV. Agreement of the Parties

12. The Commission has jurisdiction over this matter under the Consumer Product Safety Act (CPSA), 15 U.S.C. 2051 *et seq.*

13. RCA knowingly, voluntarily and completely waives any rights it may have to:

a. the issuance of a complaint in this matter;

b. an administrative or judicial hearing with respect to the staff allegations discussed in paragraphs 4 through 10 above;

c. judicial review or other challenge or contest of the validity of the Commission’s Order;

d. a determination by the Commission as to whether a violation of section 15(b) of the CPSA, 15 U.S.C. 2064(b) has occurred; and

e. a statement of findings of fact and conclusion of law with regard to the staff allegations.

14. Upon provisional acceptance of this Settlement Agreement and Order by the Commission, this Settlement Agreement and Order shall be placed on the public record and shall be published in the **Federal Register** in accordance with 16 CFR part 1118 section 20.

15. The Settlement Agreement and Order becomes effective upon final acceptance by the Commission and service of the Final Order upon RCA.

16. Upon final acceptance of this Settlement Agreement by the Commission, the issuance of the Order, and the full and timely payment by RCA to the United States Treasury of a civil penalty in the amount of One Hundred and Twenty Five Thousand Dollars

(\$125,000.00), the Commission specifically waives its right to initiate, either by referral to the Department of Justice or bringing in its own name, any action for civil penalties relating to any of the events that gave rise to the staff’s allegations in paragraphs four through ten, *supra*, against (a) RCA and Riello Canada, and (b) any and all of RCA’s and Riello Canada’s successors, assigns, employees, representatives and agents.

17. RCA shall pay the Consumer Product Safety Commission a civil penalty in the amount of \$125,000.00 within 30 calendar days of such service of the Final Order.

18. RCA agrees to entry of the attached Order, which is incorporated herein by reference, and to be bound by its terms.

19. This Settlement Agreement and Order are entered into for settlement purposes only and shall not constitute evidence of, an admission of, or a determination of, any fault, liability or statutory or regulatory violation.

20. The Commission’s Order in this matter is issued under the provisions of the CPSA, 15 U.S.C. 2051, *et seq.*, and a violation of this Order may subject RCA to appropriate legal action.

21. This Settlement Agreement and Order is binding upon and shall inure to the benefit of RCA and Riello Canada and their assigns or successors.

22. Agreements, understandings, representations, or interpretations made outside of this Settlement Agreement and Order may not be used to vary or to contradict its terms.

Riello Corporation of America.

Dated: August 22, 2000.

Nick Gareri,
President.

U.S. Consumer Product Safety
Commission.

Alan H. Schoem,
*Assistant Executive Director, Office of
Compliance.*

Eric L. Stone,
*Director, Legal Division, Office of
Compliance.*

Dated: August 16, 2000.

Jimmie L. Williams, Jr.,
*Trial Attorney, Legal Division, Office of
Compliance.*

Order

Upon consideration of the Settlement Agreement entered into between Riello Corporation of America, a Massachusetts Corporation, and the staff of the U.S. Consumer Product Safety Commission; and the Commission having jurisdiction over the subject matter and Riello Corporation of America, and it appearing that the

Settlement Agreement and Order is in the public interest, it is.

Ordered, that the Settlement Agreement be, and hereby is, accepted, and it is

Further Ordered, that upon final acceptance of the Settlement Agreement and Final Order, Riello Corporation of America shall pay the Commission a civil penalty in the amount of One Hundred and Twenty Five Thousand Dollars (\$125,000.00) within 30 calendar days after service of this Final Order upon Riello Corporation of America.

Provisionally accepted and Provisional Order issued on the 18th day of September, 2000.

By Order of the Commission.

Sadye E. Dunn,

Secretary, U.S. Consumer Product Safety Commission.

[FR Doc. 00-24339 Filed 9-21-00; 8:45 am]

BILLING CODE 6355-01-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Renewal of the Defense Intelligence Agency Science and Technology Advisory Board

ACTION: Notice.

SUMMARY: The Defense Intelligence Agency Science and Technology Advisory Board (DIA/STAB) has been renewed in consonance with the public interest, and in accordance with the provisions of Public Law 92-463, the "Federal Advisory Committee Act."

The DIA/STAB provides scientific and technical expertise and advice to the Secretary of Defense and the Director Defense Intelligence Agency on current and long-term operational and intelligence matters conferring Defense Intelligence Agency's mission.

The Committee will continue to be composed of 30 to 36 members from government agencies, and senior officials from large and small corporations, private consultants, and the academic community. Efforts will be made to ensure that there is a fairly balanced membership in terms of the functions to be performed and the interest groups represented.

FOR FURTHER INFORMATION CONTACT: Please contact Victoria Prescott, Defense Intelligence Agency, telephone: 202-231-4930.

Dated: September 15, 2000.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 00-24332 Filed 9-21-00; 8:45 am]

BILLING CODE 5001-10-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Renewal of the Joint Advisory Committee on Nuclear Weapons Surety

ACTION: Notice.

SUMMARY: The Joint Advisory Committee on Nuclear Weapons Surety (JACNWS) has been renewed in consonance with the public interest, and in accordance with the provisions of Public Law 92-463, the "Federal Advisory Committee Act."

The JACNWS provides advice and recommendations to the Secretary of Defense and the Secretary of Energy on nuclear weapons systems surety matters. The Committee undertakes studies and prepares reports on national policies and procedures to ensure the safe handling, stockpiling, maintenance, disposition and risk reduction of nuclear weapons.

The Committee will continue to be composed of four to seven members, both government and non-government individuals, who are acclaimed experts in nuclear weapons surety measures. Efforts will be made to ensure that there is a fairly balanced membership in terms of the functions to be performed and the interest groups represented.

FOR FURTHER INFORMATION CONTACT: Please contact Mr. Bill Daitch, Defense Threat Reduction Agency, telephone: 703-325-0581.

Patricia L. Toppings,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 00-24331 Filed 9-21-00; 8:45 am]

BILLING CODE 5001-10-M

DEPARTMENT OF DEFENSE

Office of the Secretary

Meeting of the Advisory Council on Dependents' Education

AGENCY: Department of Defense Education Activity (DoDEA).

ACTION: Notice of meeting.

SUMMARY: Pursuant to Public Law 92-463, notice is hereby given that a meeting of the Advisory Council on Dependents' Education (ACDE) is

scheduled to be held from 8 a.m. to 5 p.m. on Saturday, October 7, 2000. The meeting will be open to the public and will be held in the Constellation Room at U.S. Navy Europe's headquarters on North Audley Street in London, England. The meeting will be preceded by visits by ACDE members and DoDEA representatives to DoD overseas schools in Iceland, the United Kingdom, Belgium, and Netherlands from October 2-4. The purpose of the Council is to recommend to the Director, Department of Defense Dependents Schools (DoDDS), general policies for the operation of the DoDDS; to provide the Director with information about effective educational programs and practices that should be considered by DoDDS; and to perform other tasks as may be required by the Secretary of Defense. The focus of this meeting will be on student achievement and progress towards organizational strategic goals. For further information contact Ms. Polly Purser, at 703-696-4235, extension 1911.

Dated: September 18, 2000.

L.M. Bynum,

Alternate OSD Federal Register Liaison Officer, Department of Defense.

[FR Doc. 00-24330 Filed 9-21-00; 8:45 am]

BILLING CODE 5001-10-M

DEPARTMENT OF EDUCATION

Submission for OMB Review; Comment Request

AGENCY: Department of Education.

SUMMARY: The Leader, Regulatory Information Management Group, Office of the Chief Information Officer invites comments on the submission for OMB review as required by the Paperwork Reduction Act of 1995.

DATES: Interested persons are invited to submit comments on or before October 23, 2000.

ADDRESSES: Written comments should be addressed to the Office of Information and Regulatory Affairs, Attention: Lauren Wittenberg, Acting Desk Officer, Department of Education, Office of Management and Budget, 725 17th Street, NW., Room 10235, New Executive Office Building, Washington, DC 20503 or should be electronically mailed to the internet address Lauren_Wittenberg@omb.eop.gov.

SUPPLEMENTARY INFORMATION: Section 3506 of the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35) requires that the Office of Management and Budget (OMB) provide interested Federal agencies and the public an early